

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GEORGE RODRIGUEZ,

Plaintiff,

versus

CITY OF HOUSTON,

Defendant.

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CIVIL ACTION NO. H-06-2650

SPECIAL VERDICT FORM

QUESTION NO. 1

Did James Bolding's knowingly misleading and scientifically inaccurate serology report play a substantial part in bringing about or actually causing Plaintiff's injury or damages?

Answer "Yes" or "No."

yes

If you have answered "No," do not answer any more questions. Please sign and date the Certificate and return it to the Court.

However, if you have answered "Yes," please answer Question No. 2.

QUESTION NO. 2

Do you find by a preponderance of the evidence that Defendant City of Houston had an official policy or custom of inadequate supervision or training of its Crime Lab personnel?

Answer "Yes" or "No."

yes

If you have answered "No," do not answer any more questions. Please sign and date the Certificate and return it to the Court.

However, if you have answered "Yes," please answer Question No. 3.

QUESTION NO. 3

Do you find by a preponderance of the evidence that the City's policymaker was deliberately indifferent to the substantial risk that the City's policy of inadequate supervision or training would result in a constitutional violation similar to the one suffered by Plaintiff?

Answer "Yes" or "No."

yes

If you have answered "No," do not answer any more questions. Please sign and date the Certificate and return it to the Court.

However, if you have answered "Yes," please answer Question No. 4.

QUESTION NO. 4

Do you find by a preponderance of the evidence that the inadequate supervision or training was the moving force behind the violation of Plaintiff's rights?

Answer "Yes" or "No."

yes

If you have answered "No," do not answer any more questions. Please sign and date the Certificate and return it to the Court.

However, if you have answered "Yes," please answer Question No. 5.

QUESTION NO. 5

What sum of money, if any, would reasonably and fairly compensate Plaintiff for damages he has actually suffered or is reasonably likely to suffer in the future as a result of the constitutional violation that was caused by Defendant?

Consider each element separately. Do not include damages for one element in another element. Answer in dollars and cents, if any.

Pain and Suffering and Mental Anguish sustained in the past:

3,000,000.

Pain and Suffering and Mental Anguish that, in reasonable probability, Plaintiff will sustain in the future:

1,500,000.

Medical expenses:

0

Lost earnings/earnings capacity sustained in the past:

350,000.

Lost earnings/earnings capacity that, in reasonable probability, Plaintiff will sustain in the future:

150,000

Please sign and date the Certificate and return it to the Court.

CERTIFICATE

SIGNED this 25th day of June, 2009, at Houston, Texas.


JURY FOREPERSON